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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 8960

Outi HIIRONNIEMI

Art Unit: 2154

Application No.: 10/086,780

Examiner: T. D. Nguyen

Filed: February 28, 2002

Attorney Dkt. No.: 059643.00741

For: METHOD AND SYSTEM FOR DYNAMIC REMAPPING OF PACKETS FOR A ROUTER

**RENEWED PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. §1.137(b)**

MAIL STOP: PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

February 12, 2009

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the U.S. Patent & Trademark Office. This application was unintentionally abandoned.

Applicants respectfully petitioned for revival of this application on August 17, 2007 ("the original petition"). The original petition and its accompanying amendment are already of record. A renewed petition was submitted on March 4, 2008, and second renewed petition was filed on May 30, 2008. In response to the second renewed petition, a decision was provided, including a new ground of rejection that was not previously presented in the Office Action of November 16, 2006.

In accordance with the requirements for reviving an unintentionally abandoned application under 37 C.F.R. §1.137(b), Applicants hereby state the following.

(1) Petition fee of \$1,500 was enclosed with the original petition;

(2) A reply to the pending final Office Action in the form of an Amendment is enclosed herewith; and

(3) The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

A check in the amount of One Thousand Five Hundred Dollars (\$1,500) to cover the above fee was enclosed with the original petition.

In the event that the previously enclosed check was (or is) found to be insufficient, or if any additional fees are due with respect to the filing of this paper, please charge Counsel's Deposit Account Number 50-2222.

On January 12, 2009, the Office of Petitions issued an action denying the renewed petition. This denial was in error, and both the renewed and/or the original petition should be granted. This denial was in error because the ground of rejection relied upon is a new ground of rejection not found in the Office Action of November 16, 2006.

The denial stated that the petition lacked item (2), the required reply. In this case, the amendment submitted with the original petition qualifies under the second option: "(2) an amendment that *prima facie* places the application in condition for allowance." However, even if the amendments submitted with the original petition did not so qualify, in view of the new grounds of rejection, the amendment enclosed herewith fully overcomes the new ground of rejection and consequently, the enclosed amendment should be deemed "(2) an amendment that *prima facie* places the application in condition for allowance."


The amendment submitted with the original petition *prima facie* placed the application in condition for allowance, because it canceled all of the rejected claims, leaving only allowed claims in the application. The newly presented amendment further addresses the new ground of rejection, which (in effect) required Applicant to include a comma into claims 1, 11, and 22 for alleged grammatical reasons. As noted in the amendment, claims 1-30 were previously pending, of which claims 1-22 had been

allowed, and claims 23-30 had been rejected. Claims 23-30 were rejected without prejudice or disclaimer. Claims 23-30 have been cancelled in both amendments. No other amendments were made than those discussed above. Thus, the amendments *prima facie* place the application in condition for allowance, since they result in only allowed claims remaining pending in the application.

Applicant respectfully notes that Applicant's representative confirmed by telephone with the Examiner that the enclosed Amendment overcomes the new ground of rejection. Thus, the renewed petition should be granted, as no basis for denial remains.

Accordingly, grant of the original petition or this renewed petition is respectfully requested, and timely issuance of a formal notice of allowance is respectfully requested, as all of the claims pending after the amendment have been allowed. As noted above, the fees for the petition have already been paid. It is not believed that additional fees are due. In the event, however, that that the previously enclosed check was (or is) found to be insufficient, or if any additional fees are due with respect to the filing of this paper, please charge Counsel's Deposit Account Number 50-2222.

Respectfully submitted,



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PCF/dlh

Enclosure: Amendment under 37 CFR 1.116